
**Technology, Energy &
Communications Committee**

ESSB 5098

Brief Description: Regulating the energy efficiency of certain products.

Sponsors: Senate Committee on Water, Energy & Environment (originally sponsored by Senators Poulsen, Morton, Franklin, Kline and Kohl-Welles; by request of Governor Locke).

<p>Brief Summary of Engrossed Substitute Bill</p> <ul style="list-style-type: none">• Establishes minimum standards and testing procedures for 13 electrical products.

Hearing Date: 3/31/05

Staff: Sarah Dylag (786-7109).

Background:

Two federal laws, and their accompanying regulations, govern energy efficiency standards for certain electrical products. The National Appliance Energy Conservation Act of 1987 specifies efficiency standards, testing procedures, and labeling requirements for certain residential appliances such as dishwashers, room air conditioners, and fluorescent-lamp ballasts. The Energy Policy Act of 1992 specifies similar requirements for certain types of industrial equipment such as electric motors, commercial water heaters, and commercial furnaces.

Washington has not adopted state efficiency standards for products not covered by federal law.

Summary of Bill:

Energy Efficiency Standards

Minimum standards and testing procedures are established for 13 electrical products that are not covered by federal law. The efficiency standards apply to products sold, offered for sale, or installed in the state. The standards do not apply to: (1) products installed in mobile manufactured homes at the time of construction; and (2) products designed expressly for installation and use in recreational vehicles. The 13 electrical products are:

- *Automatic commercial ice cube machines*, such as those found in motels and restaurants.
- *Commercial clothes washers*, such as those found in apartments and coin laundries.
- *Commercial pre-rinse spray valves*, such as those used in restaurants to remove food residue from plates prior to their cleaning.

- *Commercial refrigerators and freezers*, such as those used in large institutional kitchens.
- *Digital television adapters*, which allow owners of old televisions to view new digital television signals.
- *Illuminated exit signs*, such as those used in public buildings to mark exit doors.
- *Low-voltage dry-type distribution transformers*, which are devices that reduce electrical voltage and are often found in electrical closets of office buildings.
- *Metal halide lamp fixtures*, such as those found on the high ceilings of industrial buildings and gymnasiums.
- *Single-voltage external AC to DC power supplies*, such as the small boxes attached to power cords that allow battery-operated appliances to use power from electrical outlets.
- *Incandescent reflector lamps*, such as the light bulbs that are typically used in "recessed can" lights.
- *Torchieres*, which are portable lamps used to provide indirect lighting.
- *Traffic signal modules*, which are used in street and highway traffic signals.
- *Commercial space heaters* that use natural gas or propane.

Tests and Inspections

With certain exceptions, all manufacturers of covered products must test and certify their products using specified tests, many of which have been developed by national testing bodies such as the Air-Conditioning and Refrigeration Institute and the American Society for Testing and Materials. Manufacturers of covered products must identify their products as in compliance with the state efficiency standards. The Department of Community, Trade, and Economic Development (CTED) must obtain the test methods in paper form and make them available for public use.

The CTED is authorized to test covered products. If a product fails its test, the CTED must inform the public of the test results and charge the manufacturer for the cost of purchasing and testing the product.

The CTED must investigate alleged violations of the standards. A manufacturer or distributor that repeatedly violates the standards is subject to a civil penalty of not more than \$250 per day.

Statutory updates.

The CTED may recommend updates to the energy efficiency standards and test methods for the covered products. The CTED may also recommend establishing state standards for additional nonfederally covered products. Any recommendations shall be transmitted to the appropriate committees of the Legislature 60 days before the start of any regular legislative session.

Effective dates for selling covered products.

New products, except commercial ice-makers and metal halide lamp fixtures, may not be sold on or after January 1, 2007, if they do not meet or exceed the specified standards. The effective date for new ice-makers and halide lamps is January 1, 2008.

Effective dates for installing covered products.

New products, except commercial ice-makers and metal halide lamp fixtures, may not be installed for compensation on or after January 1, 2008, if they do not meet or exceed the specified standards. The effective date for new ice-makers and halide lamps is January 1, 2009.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.